

ORDINANCE NO: 271

AN ORDINANCE proposing and initiating an amendment to the Charter of the Town of Stayton, Oregon, to be known and designated as Chapter IX Section 20, authorizing the issuance and sale of general obligation serial bonds in the sum of One Hundred Ten Thousand (\$110,000.00) Dollars, for water purposes; providing for the submission of such amendment to the legal voters of the Town of Stayton at a special election to be held in the said town on the 24th day of August, 1951.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE TOWN OF STAYTON, OREGON

Section 1. That the Common Council does hereby propose and initiate an amendment to the Charter of the Town of Stayton, consisting of a new section to be added to said charter and designated as Chapter IX Section 20, providing for the issuance and sale of general obligation serial bonds in the sum of \$110,000.00 for water purposes.

Section 2. That the act and said Chapter IX, Section 20 of the Charter, hereby initiated and proposed, shall read as follows, to-wit:

"AN ACT to amend the Charter of the Town of Stayton, Oregon by adding thereto a new section to be designated as Section 20, Chapter IX, authorizing and providing for a bond issue of general obligation serial bonds in the sum of \$110,000.00 for water purposes."

BE IT ENACTED BY THE PEOPLE OF THE TOWN OF STAYTON, OREGON:

Chapter IX, Section 20. 1- The council is authorized to acquire, construct, install, operate, and maintain for said city, within or without its corporate limits, or both, a complete water system and all appurtenances necessary, useful, auxiliary, or convenient thereto, and to purchase and repair, improve, extend, or enlarge the existing water utility which furnishes water for domestic use within said city.

2- For the purpose of providing funds with which to defray the cost of the said water system and appurtenances, the council is authorized to issue and sell at public sale, direct serial general-obligation bonds of the city in the aggregate sum of not to exceed ONE HUNDRED TEN THOUSAND AND NO/100th DOLLARS (\$110,000.00) par value. The said bonds shall be known as "Water System Bonds," shall be in denominations of \$1000.00 each and shall be in such form and shall bear such issue and maturity dates, authorized by law, as the council shall determine. The said bonds shall be sold to the highest responsible bidder therefor, at not less than 98 per cent of the par value thereof and the full amount of accrued interest thereon. In the discretion of the council, the said bonds may be issued with the right reserved to the city to redeem, for retirement or refunding purposes, part of or all of said bonds at par value and accrued interest, prior to the final maturity dates thereof. Should said bonds be refunded, the refunding bonds shall be of the same class and character as the bonds retired thereby, and shall be paid both as to principal and interest from the same class of revenues as were pledged or obligated to the bonds that were redeemed.

3- The proceeds from the sale of said bonds shall be deposited with the city treasurer of the city of Stayton, as the said bonds are sold, and the said treasurer shall place the said proceeds in a special fund to be known as the "Water System Construction Fund"; and the moneys in said fund shall not be used for any other purpose than for the acquisition, construction, installation, operation, and maintenance of the said water system, and for the purchase and repair, improvement, extension, or enlargement of the aforesaid existing water utility; provided, however, that should any residue remain after disbursements therefrom for the purposes aforesaid, the said residue shall be credited to the fund provided for payment of the interest upon and the retirement of the principal of the said bonds.

4- The debt limitations contained in the charter shall not apply to any of the said bonds.

5- The council hereby is authorized and empowered to fix and determine rates and to collect charges for the use of the said water system and appurtenances, and to pledge the net revenues thereof, after payment of the operation and maintenance expenses thereof, to the payment of the interest upon, and to the retirement of the principal of the said bonds.

6- The council shall include in the annual tax levy of the city, outside the limitation imposed by Article XI, Section 11 of the constitution of the State of Oregon, a sum sufficient, with the aforesaid net revenues of the said water system and appurtenances, to defray the cost of operation and maintenance thereof and to pay promptly the interest upon and the principal of the said bonds as such obligations respectively become due and payable. The said tax shall be levied upon and ad valorem basis upon all of the property within said city so taxable for its purpose, and shall not be subject to any charter or other limitation applicable to taxes.

Section 3. The City Attorney is hereby instructed and directed to prepare the necessary heading and ballot title under which the act for the proposed amendment to the Charter of the Town of Stayton shall be submitted to the legal voters of said town.

Section 4. The charter amendment initiated and proposed by this resolution shall be submitted to the legal voters of said Town of Stayton, Oregon, at a special election to be held on the 24th day of August, 1951,

Section 5. It is hereby adjudged and declared that existing conditions are such that this Ordinance is necessary for the immediate preservation of the peace, health, safety and general welfare of the City of Stayton, Oregon and an emergency is hereby declared to exist and this Ordinance shall take effect and be in full force and effect from and after its passage by the Common Council of the Town of Stayton, Oregon, and upon the signing hereof by the Mayor of said City.

PASSED AND ADOPTED by this Common Council of the Town of Stayton, Oregon this 5th day of June, 1951

M. J. Martin Mayor

ATTEST:

Recorder of the Town of Stayton